

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA,

And

LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY,

Plaintiffs,

v.

PACKAGING CORPORATION OF
AMERICA,

Defendant.

Case No. 2:22-cv-05361-JDC-KK

Judge James D. Cain, Jr.

Magistrate Judge Kathleen Kay

PLAINTIFFS' CONSENT MOTION TO APPROVE STIPULATION OF SETTLEMENT

Plaintiffs, the United States of America (“United States”), on behalf of the United States Environmental Protection Agency (“EPA”), and the Louisiana Department of Environmental Quality (“LDEQ”) respectfully move this Court to approve as a final judgment the Stipulation of Settlement (“Stipulation”) lodged with the Court on September 28, 2022. *See* Stipulation (ECF Doc. 2-1). Counsel for the United States and LDEQ have conferred with counsel for the Defendant, Packaging Corporation of America. All parties agree that this motion is filed with their consent. A supporting memorandum is filed concurrently with this motion.

WHEREFORE, for the reasons set forth in the supporting memorandum, Plaintiffs respectfully request that the Court grant this motion, approve the Stipulation by signing page 15, and enter the Stipulation as a final judgment in this matter.

Dated: December 21, 2022

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

/s/ Christopher B Witwer
CHRISTOPHER WITWER
Trial Attorney
NY Bar No. 4464418
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611 - Ben Franklin Station
Washington, DC 20044-7611
202-598-3122 (Phone)
christopher.witwer@usdoj.gov
NY Bar No. 4464418

BRANDON B. BROWN
United States Attorney
Western District of Louisiana

SHANNON T. BROWN (18717)
Assistant United States Attorney
LA Bar No. 32366
U.S. Attorney's Office
Western District of Louisiana
300 Fannin Street, Suite 3201
Shreveport, Louisiana 71101
Telephone: (318) 676-3600
shannon.brown@usdoj.gov

OF COUNSEL:

COURTNEY CARTER
Assistant Regional Counsel (MC 6RC-ER)
U.S. Environmental Protection Agency, Region 6
1201 Elm Street, Suite 500
Dallas, Texas 75270
(214) 665-8175 (Telephone)
carter.courtney@epa.gov

**FOR THE LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY:**



OSCAR MAGEE

Attorney

LA Bar No. 32302

Louisiana Department of Environmental Quality

Office of the Secretary

Legal Division

P.O. Box 4302

Baton Rouge, LA 70821-4302

Phone: (225) 219-4046

Fax: (225) 219-4068

oscar.magee@la.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December, 2022, a true and correct copy of the foregoing PLAINTIFFS' CONSENT MOTION TO APPROVE STIPULATION OF SETTLEMENT, attached MEMORANDUM IN SUPPORT, attached EXHIBIT A, and attached PROPOSED ORDER were filed with the Clerk of the U.S. District Court for the Western District of Louisiana using the Court's CM/ECF system. Notice of this Electronic Filing will be sent to all parties by operation of the Court's Electronic Filing System.

/s/ Christopher B. Witwer
CHRISTOPHER WITWER
Trial Attorney
NY Bar No. 4464418
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611 - Ben Franklin Station
Washington, DC 20044-7611
202-598-3122 (Phone)
christopher.witwer@usdoj.gov
NY Bar No. 4464418